

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

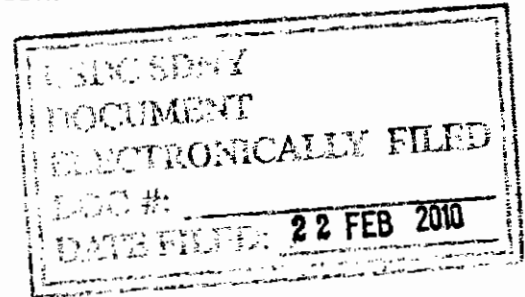
CAPITOL RECORDS, LLC; CAROLINE
RECORDS, INC.; VIRGIN RECORDS
AMERICA, INC.; COLOEMS-EMI MUSIC
INC.; EMI APRIL MUSIC INC.; EMI
BLACKWOOD MUSIC; EMI FEIST
CATALOG INC.; EMI FULL KEEL MUSIC;
EMI GOLDEN TORCH MUSIC CORP.;
EMI GOLD HORIZON MUSIC CORP.;
EMI GROVE PARK MUSIC, INC.; EMI
LONGITUDE MUSIC; EMI MILLER
CATALOG INC.; EMI ROBBINS CATALOG
INC.; EMI U CATALOG, INC.; EMI VIRGIN
MUSIC, INC.; EMI VIRGIN SONGS, INC.;
EMI WATERFORD MUSIC, INC.; JOBETE
MUSIC CO. INC.; SCREEN-GEMS-EMI
MUSIC INC.; STONE DIAMOND MUSIC,

Plaintiffs,

v.

SEEQPOD, INC., FAVTAPE.COM,
KASIAN FRANKS, RAF PODOWSKI,
SHEKHAR LODHA, and RYAN SIT,

Defendants.



No. 1:09-cv-01584-LTS

~~AND ORDER~~
STIPULATION OF DISMISSAL; ~~ORDER~~ PLACING ON RESPENSE *for*

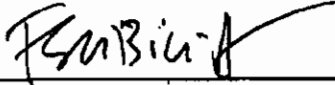
WHEREAS, Capitol Records, LLC, Caroline Records, Inc., Virgin Records America, Inc., Colgems-EMI Music Inc., EMI April Music Inc., EMI Blackwood Music, EMI Feist Catalog Inc., EMI Full Keel Music, EMI Golden Torch Music Corp., EMI Gold Horizon Music Corp., EMI Grove Park Music, Inc., EMI Longitude Music, EMI Miller Catalog Inc., EMI Robbins Catalog Inc., EMI U Catalog, Inc., EMI Virgin Music, Inc., EMI Virgin Songs, Inc., EMI Waterford Music, Inc., Jobete Music Co. Inc., Screen Gems-EMI Music Inc. and Stone

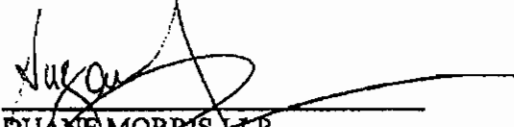
Diamond Music (together, the "Plaintiffs") have entered into a Settlement Agreement and Mutual Release with Favtape.com and Ryan Sit (together, the "Favtape Defendants") dated December 17, 2009 (the "Settlement Agreement");

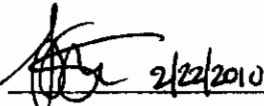
IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiffs and the Favtape Defendants that the claims of the Plaintiffs against the Favtape Defendants are hereby dismissed without prejudice and without fees or costs; and

IT IS FURTHER STIPULATED AND AGREED that neither the Settlement Agreement nor this Stipulation relate to, or operate to settle, release or dismiss, any of Plaintiffs' claims against the remaining defendants in this action, SeeqPod, Inc., Kasian Franks, Raf Podowski, and Shekhar Lodha (collectively, the "SeeqPod Defendants").

Respectfully submitted,


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 Attorneys for Defendants Favtape.com,
 and Ryan Sit

In light of the pending bankruptcy proceedings of SeeqPod, the one remaining defendant, this case is hereby placed on SO ORDERED: the suspense docket. Plaintiff must make a written report as of each July 1 and January 1 hereafter as to the status of the bankruptcy proceeding insofar as relevant to this claim, and as to whether this case should be dismissed, returned to the active calendar, or maintained on the suspense docket. 

United States District Judge